

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MIDLAND RESOURCES, LLC,

Plaintiff,

vs.

**IOWA MUTUAL INSURANCE
COMPANY,**

Defendant.

8:21CV178

**THIRD AMENDED
CASE PROGRESSION ORDER**

This matter is before the Court on Plaintiff's Motion to Amend Expert Witness Disclosure Deadline ([Filing No. 30](#)). After review of the motion, and for good cause shown,

IT IS ORDERED that Plaintiff's Motion to Amend Expert Witness Disclosure Deadline ([Filing No. 30](#)) is granted, and the second amended case progression order is amended as follows:

- 1) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are extended as follows:

| | |
|--------------------|-----------------------|
| For the plaintiff: | April 15, 2022 |
| For the defendant: | July 13, 2022 |
| For rebuttal: | August 3, 2022 |

- 2) The planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings remains scheduled with the undersigned magistrate judge on **August 5, 2022**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, remains **October 28, 2022**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds remains **November 29, 2022**.
- 5) The deadline for filing motions to dismiss and motions for summary judgment remains **November 29, 2022**.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 28th day of March, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge